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14 Attorneys for Defendant

15 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
16 IN AND FOR THE COUNTY OF YAVAPAI

17 STATE OF ARIZONA,
18
19 Plaintiff,

20 vs.

21 STEVEN CARROLL DEMOCKER,
22
23 Defendant.

) No. P1300CR20081339

)

) Div. 6

)

) **EMERGENCY MOTION FOR**
) **STAY OF TRIAL TO PERMIT**
) **FILING OF PETITION FOR**
) **REVIEW**

)

) **EMERGENCY HEARING**
) **REQUESTED**
) **UNDER SEAL**

24 Defendant Steven DeMocker, by and through counsel, hereby moves this Court
25 for an immediate stay of proceedings to permit Mr. DeMocker's counsel time to file a
26 Petition for Review in the Arizona Supreme Court. Counsel request to be heard by this
27 Court as soon as possible. Counsel are available at any time to be heard on this request.
28

SUPERIOR COURT
YAVAPAI COUNTY, ARIZONA

2010 OCT 13 PM 4:39

JEANNE HICKS, CLERK

BY B. Cham. Berlain

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OCT 13 2010

DIVISION 6

1 A stay is required to prevent irreparable injury to Mr. DeMocker if a jury trial
2 were to continue. The Court of Appeals has denied the Special Action Petition by a
3 vote of 2 to 1, with Judge Swann dissenting. The Court of Appeals indicated that a
4 written decision was to follow its Order but the written decision has not yet been
5 received. Counsel intend to file a Petition for Review as soon as possible pursuant to
6 Arizona Rule of Special Action Procedure 8 and Arizona Rules Appellate Procedure 22
7 and 23.

8 DATED this 13th day of October, 2010.

10 OSBORN MALEDON, P.A.

11
12
13 By:


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Anne M. Chapman

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20 Attorneys for Defendant

21
22 **ORIGINAL** of the foregoing hand delivered for
23 filing this 13th day of October, 2010, with:

24 Jeanne Hicks

Clerk of the Court

25 Yavapai County Superior Court

26 120 S. Cortez

Prescott, AZ 86303

1
2 **COPIES** of the foregoing emailed this
3 this 13th day of October, 2010, to:

4 The Hon. Warren R. Darrow (via email to Robin Gearhart)
5 Judge Pro Tem B
6 120 S. Cortez
7 Prescott, AZ 86303

8 The Hon. Robert M. Brutinel (via email to Robin Gearhart)
9 Judge of the Superior Court
10 120 S. Cortez
11 Prescott, AZ 86303

12 **COPIES** emailed this 13th day of October,
13 2010, to:

14 Joseph C. Butner, Esq.
15 Jeffrey Paupore, Esq.

16 Chris Dupont
17 Trautman Dupont PLC
18 1726 North Seventh Street
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